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# **Notice of Allowability**

Application No.

09/755,448

Examiner

John Pezzlo

Applicant(s)

SUZUKI ET AL.

Art Unit

2662

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 8/23/2004.
2. ☒ The allowed claim(s) is/are 2, 6-17 (renumbered 1-13 respectively).
3. ☒ The drawings filed on 05 January 2001 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## **Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
**JOHN PEZZLO**  
**PRIMARY EXAMINER**

## **DETAILED ACTION**

### ***EXAMINER'S AMENDMENT***

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Tadashi Horie on 10 November 2004.

The claims have been amended as follows:

1. Claim 1 – Line 1, after "comprising" changed ";" to -- : --.
2. Claim 6 – Line 4, inserted after "frame configuration" -- for adding a header field --.

### ***Allowable Subject Matter***

Claims 2 and 6-17 are allowable over the prior art of record.

### ***Reasons for Allowance***

The following is an examiner's statement of reasons for allowance: Applicants have claimed the following uniquely distinct features in the instant invention, which are not found in the prior art, either singularly or in combination.

1. Regarding claim 2 - A frame transmission apparatus comprising, a frame transmitting means for transmitting frames and a request for frame configuration modification to an apparatus of a communication partner, and a frame receiving means for receiving frames from the apparatus of the communication partner, the frame receiving means, when the request for frame configuration modification is transmitted to the apparatus of the communication partner, receiving frames whose configuration has not been modified, while waiting for frame whose configuration has been modified, wherein in a case that the frame configuration modification is a modification for adding a header field, the modification is carried out without waiting for a request for frame configuration modification, and frames whose configuration has been modified are transmitted.

2. Regarding claim 6 - A method for modifying a frame configuration, comprising the steps of: receiving by a receiver frames of data in synchronization sent from a sender, the frames having a frame configuration, requesting the sender by the receiver to modify the frame configuration of the data being received by the receiver, and upon a reception of a frame having a frame configuration which is modified as requested by the receiver, automatically reconfiguring the receiver according the modified frame configuration so as to receive frames of the modified frame configuration in synchronization.

3. Regarding claim 12 - A frame transmission apparatus, comprising: a receiver unit that receives frames of data from a sender, the frames having a frame configuration, a frame

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segmentation unit that establishes, according to the frame configuration, frame synchronization on the frames being received, and a receipt control unit that monitors the frame segmentation unit and a period of time after the frame segmentation unit establishes the frame synchronization, sends the sender a request to modify the frame configuration of the frames being received by the receiver unit, wherein upon a reception, by the receiver unit, of a frame having a frame configuration which is modified as requested by the receipt control unit, the frame segmentation unit is automatically reconfigured, according the modified frame configuration, so as to receive frames of the modified frame configuration in synchronization.

The closest prior art, either singularly or in combination, fail to anticipate or render the above limitations obvious.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Claims 2 and 6-17 being allowable, **Prosecution On The Merits Is Closed** in this application.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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1. Cheng et al. (US 6,088,342) discloses a dynamic configuration of radio link protocol in a telecommunications system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Pezzlo whose telephone number is (571) 272-3090. The examiner can normally be reached on Monday to Friday from 8:30 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou, can be reached on (571) 272-3088. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2600.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C.

or faxed to:

(703) 872-9306

For informal or draft communications, please label "PROPOSED" or "DRAFT"

Hand delivered responses should be brought to:

Jefferson Building

500 Dulany Street

Alexandria, VA.

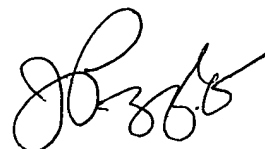
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John Pezzlo

9 November 2004

A handwritten signature in black ink, appearing to read 'JP-36.5', is positioned above the printed name and title.

**JOHN PEZZLO**  
**PRIMARY EXAMINER**